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Attorneys for Defendant
Kindred Nursing Centers West, LLC
d/b/a Parkview Acres Care and Rehabilitation Center

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

LINDA STRUPP,

Plaintiff,

v.

**KINDRED NURSING CENTERS
WEST, LLC, a Delaware Limited
Liability Company, and
PARKVIEW ACRES CARE AND
REHABILITATION CENTER
and JOHN DOES 1 THROUGH 4,**

Defendants.

Cause No.-CV-10-27-BU-SEH

NOTICE OF REMOVAL

Defendant Kindred Nursing Centers West, LLC d/b/a Parkview Acres Care
and Rehabilitation Center ("Kindred") files its Notice of Removal and alleges as
follows:

1 – NOTICE OF REMOVAL

I.

This action was commenced in the Montana Fifth Judicial District Court, Beaverhead County, on November 19, 2009. This case was not immediately removable because the Complaint did not state the amount in controversy in the case. A copy of the original Complaint is attached hereto as Exhibit A.

II.

Kindred Nursing Centers West, LLC is a Delaware limited liability company with its principal place of business in the state of Kentucky. Parkview Acres Care and Rehabilitation Center is an assumed business name owned by Kindred.

III.

Plaintiff is a citizen of the state of Montana.

IV.

This action is now pending in the Montana Fifth Judicial District Court, Beaverhead County, for the recovery of an amount in excess of \$75,000. The amount in controversy was first alleged by plaintiff in her response to defendant's Interrogatory No. 13, a copy of which is attached as Exhibit B. That discovery response was served upon defendant's counsel on April 26, 2010.

V.

This action is one in which this Court has jurisdiction pursuant to the provisions of 28 U.S.C., Section 1332, and that it is removable from the State Court to this Court on demand and pursuant to the provisions of 28 U.S.C., Section 1446 , and that it is an action wherein the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs; that the plaintiff is a citizen of the state of Montana; and that the defendant is organized under the laws of the state of Delaware and has its principal place of business in the state of Kentucky.

WHEREFORE, defendant files this Notice of Removal and requests removal of this action to the U.S. District Court of the District of Montana, Butte Division.

DATED this 24th day of May, 2010.

/s/ Gregory C. Black
Gregory C. Black
Corette Pohlman & Kebe
Attorneys for Defendant
Kindred Nursing Centers West, LLC
d/b/a Parkview Acres Care and
Rehabilitation Center